

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WINIFRED MIDKIFF, <i>et al.</i> , on)	
behalf of themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:22-cv-417-HEH
)	
THE ANTHEM COMPANIES, INC.,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER
(Granting Plaintiffs' Motion for Rule 23 Class Certification)

THIS MATTER is before the Court on Plaintiffs Winifred Midkiff's ("Midkiff") and Ardaith Brown's ("Brown") (collectively, "Plaintiffs") Motion for Rule 23 Class Certification (the "Motion," ECF No. 101), filed on November 30, 2023. For the reasons fully stated in the accompanying Memorandum Opinion, the Motion is GRANTED. The following is hereby ORDERED:

1. The Court certifies the following class:

Any individual who: (1) worked/works in Virginia for Anthem, Inc. (or one of its subsidiaries) in the Nurse Medical Management I, II, and/or Senior job title; (2) was/is paid a salary, (3) was/is treated as exempt from overtime laws, (4) worked/works over forty (40) hours during any week, and (5) was/is primarily responsible for performing medical necessity reviews at any time since July 1, 2021.

This class is certified to bring a claim under the Virginia Overtime Wage Act.

2. The Court appoints Plaintiff Brown as class representative and appoints Nichols Kaster, PLLP and Butler Curwood, PLC as class counsel.

3. The Court approves Plaintiffs' proposed form of notice for distribution to the class.

4. The Court orders Defendants to produce a class list to Plaintiffs within fourteen (14) days of the entry of this Order. That list shall include each class member's name, mailing address, dates of employment, personal email address, and phone number, and shall include unique identifiers Defendants used so Plaintiffs' counsel may match class members to the data.

5. Upon receipt of the class list, class counsel is ordered to mail the notice to the class members within seven (7) days. There shall be a forty-five (45) day notice period that shall begin upon the mailing of the notice.

The Clerk is DIRECTED to send a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

It is so ORDERED.



Henry E. Hudson
Senior United States District Judge

Date: Sept. 5, 2024
Richmond, Virginia